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Facsimile Transmittal

To:	Refund Request	Fax:	(703) 308-5077
From:	Patrick J.S. Inouye	Date:	November 1, 2004
Re:	U.S. Patent Application Serial No. 10/646,112	Pages:	1 (including cover sheet)
CC:			
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Applicant respectfully requests refund of charge made in error by the USPTO to Alaska Visa, Account Number 4003 9010 0012 2489 on Posting Date 09-06 in the amount of \$440.00, for Terminal Disclaimers filed on August 30, 2004 for the above-identified U.S. Patent Application.

On August 30, 2004, applicant filed two Terminal Disclaimers (\$110.00 each). Applicant was charged \$220.00 for the two Terminal Disclaimers on Posting Date 09-03. Applicant was then by mistake again charged \$440.00 for the same Terminal Disclaimers on Posting Date 09-06.

Accordingly, applicant respectfully requests a refund of the \$440.00 in overcharged Fees for the Terminal Disclaimers, paid back to the applicant's representative Alaska Visa Card, Account Number 4003 9010 0012 2489.

Please contact the applicant's representative at (206) 381-3900 regarding any questions or concerns associated with the present matter.

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PTO/SB/28 (08-03)

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TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENTDocket Number (Optional)
020.0345.US.CON

In re Application of: Bardy, Gust H.

Application No.: 10/646,112

Filed: August 22, 2003

For: System And Method For Ordering And Prioritizing Multiple Health Disorders For Automated Remote Patient Care

The owner, Cardiac Intelligence Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,440,066. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

09/02/2004 NROCHA1 00000030 10646112

02 FC:1811 110.00 OP

Adjustment date: 12/27/2004 SDIRETAA
09/02/2004 NROCHA1 00000030 10646112
01 FC:1814 -110.00 OP

August 30, 2004

Date

Patrick J.S. Inouye

Typed or printed name

(208) 381-3900

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

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09/02/2004 NROCHA1 00000029 10646112

02 FC:1814 110.00 OP

Adjustment date: 12/27/2004 SDIRETA2

09/02/2004 NROCHA1 00000029 10646112
01 FC:1814 -110.00 OP

Signature

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09/02/2004 NROCHAI 00000030 10646112

01 FC:1814 110.00 OP

Adjustment date: 12/27/2004 SDIRETA2
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01 FC:1814 110.00 OP

Adjustment date: 12/27/2004 SDIRETA2
09/02/2004 NROCHAI 00000029 10646112
02 FC:1814 -110.00 OP

Refund Ref: 12/27/2004 0030019101

August 30, 2004
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